

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION
U.S. Patent Application Serial No. 10/748,505
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REMARKS

This Amendment is a full and timely response to the Office Action dated July 5, 2006.

Claims 1-29 are pending in the application. Upon entry of the present amendment, claims 1-29 remain pending in this application. Claims 1, 2, 6, 11-13, 16, 18-20, 22, 23, and 28 have been amended. No new matter has been added.

In the July 5, 2006 Office Action, the Examiner rejected all pending claims 1-29. The Applicants respectfully traverse the Examiner's rejections. For the reasons set forth below, the Applicants submit that the rejections should be withdrawn and that the claims are in condition for allowance.

I. Objection to Claim 11

The Office Action objected to claim 11 for reciting a "cost-benefit ration." Applicant has amended claim 11 to recite a "cost-benefit ratio." Applicant respectfully requests the Examiner withdraw the objection to claim 11.

II. Rejection of Claims 20 and 22 – § 112, second paragraph

Applicant respectfully traverses the rejection of claims 20 and 22 under 35 U.S.C. § 112, second paragraph, for lacking proper antecedent basis for elements within the claims. Specifically, the Examiner rejected claim 20 for lacking antecedent basis for reciting "the computer-readable medium of claim 17" as claim 17 is not directed to a computer-readable medium. Further, the Examiner rejected claim 22 for lacking antecedent basis for "the item value."

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Applicant has amended claim 20 to depend from claim 18, a computer-readable medium claim. Applicant respectfully asserts that all elements of claim 20 now have proper antecedent basis, and requests the Examiner withdraw the rejection of claim 20.

Applicant has amended claim 22 to depend from claim 20, which recites "wherein the item entry further comprises an item value," which provides antecedent basis for "the item value" recited in claim 22. Applicant respectfully requests the Examiner withdraw the rejection of claim 22.

III. Rejection of Claims 1, 9, 18, and 26 – § 102(e)

Applicant respectfully traverses the rejection of claims 1, 9, 18, and 26 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0088715 to Chaudhuri *et al.* (hereinafter referred to as "Chaudhuri").

Because Chaudhuri does not disclose "selecting from an inverted index at least, a first item ... and a second item different from the first item" as recited in amended claim 1, Chaudhuri does not anticipate amended claim 1. Chaudhuri discloses a method for reducing hash tables by compressing hash entries having the same hash value. Chaudhuri does not disclose "selecting from an inverted index at least, a first item ... and a second item different from the first item." Thus, Chaudhuri does not anticipate claim 1. Independent claim 18 recites a similar limitation and is not anticipated by Chaudhuri for at least the same reason as claim 1. Applicant respectfully requests the Examiner withdraw the rejection of claims 1 and 18.

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Because claims 9 and 26 depend from and further limit claims 1 and 18, respectively, claims 9 and 26 are patentable for at least the same reason. Applicant respectfully requests the Examiner withdraw the rejection of claims 9 and 26.

IV. Rejection of Claims 16, 17, 28, and 29 – § 102(e)

Applicant respectfully traverses the rejection of claims 16, 17, 28, and 29 under 35 U.S.C. § 102(e) as being anticipated by Chaudhuri.

Because Chaudhuri does not disclose “selecting from an inverted index a plurality of items, each item different from the other selected items” as recited in amended claims 16 and 28, Chaudhuri does not anticipate amended claims 16 and 28. As discussed above, Chaudhuri discloses a method for reducing hash tables by compressing hash entries having the same hash value. In contrast, claims 16 and 28 recite selecting a plurality of items, where each item is different from the other items. As such, Chaudhuri does not disclose each and every element of claims 16 and 28. Applicant respectfully requests the Examiner withdraw the rejection of claims 16 and 28.

Because claims 17 and 29 depend from and further limit claims 16 and 28, claims 17 and 29 are patentable over Chaudhuri for at least the same reason. Applicant respectfully requests the Examiner withdraw the rejection of claims 17 and 29.

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V. Rejection of Claims 2, 8, 10, 19, 25, and 27 – § 103(a)

Applicant respectfully traverses the rejection of claims 2, 8, 10, 19, 25, and 27 under 35 U.S.C. § 103(a) as being unpatentable over Chaudhuri in view of U.S. Patent No. 6,834,290 to Pugh *et al.* (hereinafter referred to as “Pugh”).

Claims 2, 8, and 10 depend from claim 1 and claims 19, 25, and 27 depend from claim 18. As discussed above with regard to amended claims 1 and 18, Chaudhuri does not disclose “selecting from an inverted index at least, a first item ... and a second item different from the first item.” Pugh does not cure this deficiency.

Pugh discloses a system for creating a reorganization plan for database files. However, it does not disclose “selecting from an inverted index at least, a first item ... and a second item different from the first item” as recited in claims 1 and 18. As such, the combination of Chaudhuri and Pugh does not disclose or suggest each and every element of claims 1 and 18. For at least the same reasons that claims 1 and 18 are patentable over Chaudhuri in view of Pugh, claims 2, 8, 10, 19, 25, and 27 are patentable over the combined references. Applicant respectfully requests the Examiner withdraw the rejection of claims 2, 8, 10, 19, 25, and 27.

VI. Claims 3-7, 11-15, and 20-24 – § 103(a)

Applicant respectfully traverses the rejection of claims 3-7, 11-15, and 20-24 under 35 U.S.C. § 103(a) to Chaudhuri in view of Pugh and further in view of U.S. Patent No. 5,915,249 to Spencer (hereinafter referred to as “Spencer”).

Because Chaudhuri in view of Pugh, and further in view of Spencer does not teach or suggest “selecting from an inverted index at least, a first item ... and a

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second item different from the first item" as recited in claims 1, 11, and 18, from which claims 3-7, 12-15, and 20-24 depend, claims 3-7, 11-15, and 20-24 are patentable over the combined references. As discussed above, Chaudhuri in view of Pugh does not teach or suggest "selecting from an inverted index at least, a first item ... and a second item different from the first item" as recited in claim 11, as well as in claims 1 and 18. Spencer does not cure the deficiency. Spencer discloses a database system for caching items with a significant number of associated documents, not for compressing two or more entries of an inverted index into a single entry. Thus, the combined references do not teach or suggest each and every element of claims 3-7, 11-15, and 20-24. Applicant respectfully requests the Examiner withdraw the rejections of claims 3-7, 11-15, and 20-24.

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CONCLUSION

The foregoing is submitted as a full and complete response to the Office Action of July 5, 2006. Reconsideration of the pending claims is respectfully requested in view of the foregoing amendments and the following remarks. If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an amendment, please call 404 815 6061.

Respectfully submitted,



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